

**REMARKS**

Claims 1-10 and 12 remain in the application for consideration of the Examiner with Claim 11 standing canceled.

Reconsideration and withdrawal of the outstanding rejections are respectfully requested in light of the above amendments and following remarks.

Claim 11 was rejected under 35 U.S.C. §112, second paragraph, as being indefinite.

By the instant amendment, Claim 11 has been canceled, and the cancellation of Claim 11 obviates the rejection.

It is respectfully submitted that Claims 1-10 and 12 are in full compliance with 35 U.S.C. §112 and particularly points out and distinctly claims the subject matter which Applicant believes is his invention.

Turning now to the art rejections, Claims 1, 3, 5, and 6 were rejected under 35 U.S.C. §102(e) as being anticipated by Nasu; Claims 1-3 were rejected under 35 U.S.C. §103 as being anticipated by Hogan; Claims 4, 7-10, and 12 were rejected under 35 U.S.C. §103 as being unpatentable over Nasu; and Claims 4-9, and 12 were rejected under 35 U.S.C. §103 as being unpatentable over Hogan.

These rejections are respectively traversed.

Nasu does not disclose or suggest the presently claimed invention including the device driver performing at least some ECC instructions in independent Claim 1.

The C1 correction unit and C2 syndrome calculator disclosed by Nasu do not relate to a device driver.

It is respectfully submitted that Nasu does not disclose or suggest the presently claimed invention including the facility for ECC instructions from a BIOS as defined in independent Claim 7.

The C1 correction unit and C2 syndrome calculator do not relate to a BIOS.

The Examiner alleges that official notice is given the advantages of placing the code for hard disk driver in system BIOS.

This allegation is traversed and a teaching from the prior art is requested.

Hogan does not disclose or suggest the presently claimed invention including the device driver for performing at least some ECC instructions in independent Claim 1.

The Examiner alleges that Hogan software instructions are apparently part of the disk device specific control program for enabling a computer to work with a disk device and thus can be seen to be part of the device driver.

Notwithstanding the allegations of the Examiner, Hogan does not disclose that the alleged software instructions have any connection to a device driver since Hogan does not disclose a device driver.

It is respectfully submitted that Hogan does not disclose or suggest the presently claimed invention including the facility for execution of ECC instructions from a BIOS as defined in independent Claim 7.

Applicants agree with the Examiner's evidence by page 6 of the Office Action that Hogan doesn't specify that the hard disk drive ECC decoding software instructions are in system BIOS.

The Examiner alleges that official notice is given to the advantages of placing the code for hard disk drive in system BIOS.

This allegation is respectfully traversed, and a teaching from the prior art is respectfully requested.

It is respectfully submitted that Claims 1-10 and 12 patentably define over the applied art.

In light of the above, it is respectfully submitted that the present application is in condition for allowance, and notice to that effect is respectfully requested.

While it is believed that the instant response places the application in condition for allowance, should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner contact the undersigned in order to expeditiously resolve any outstanding issues.

To the extent necessary, Applicant petitions for an Extension of Time under 37 CFR 1.136. Please charge any fees in connection with the filing of this paper, including extension of time fees, to the deposit account of Texas Instruments Incorporated, Account No. 20-0668.

Respectfully submitted,



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